1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT TACOMA 9 10 SHANNON BRUCE MORLEY, No. C10-5022 RBL/KLS 11 Plaintiff. v. ORDER ADOPTING REPORT AND 12 RECOMMENDATION TO REVOKE IN SHARON BOGINSKE and MARIN FORMA PAUPERIS STATUS 13 FOX HIGHT, 14 Defendants. 15 16 The Court, having reviewed the report and recommendation, any objections, and the 17 remaining record, hereby finds and **ORDERS**: 18 The Magistrate Judge's report and recommendation is approved and adopted. (1) 19 (2) Defendants' motion to dismiss (ECF No. 23) is **DENIED.** 20 21 (3) Defendants' motion in the alternative to revoke Plaintiff's in forma pauperis status (ECF No. 23) is **GRANTED.** 22 (4) This Court's February 10, 2010 Order (ECF No. 3), which granted Plaintiff leave 23 to proceed in forma pauperis is VACATED. 24 Plaintiff shall pay the \$350.00 filing fee for this action in full within thirty days of the date of service of this Order or this action will be dismissed. (5) 25 26 ORDER ADOPTING REPORT AND RECOMMENDATION - 1

- (6) All matters shall be stayed in this case, including discovery and any pending motions pending further order of the Court.
- (7) The Clerk of the Court is directed to send copies of this Order to Plaintiff, to counsel for Defendants, and to the Hon. Karen L. Strombom.

**DATED** this 27<sup>th</sup> day of December, 2010.

RONALD B. LEIGHTON

UNITED STATES DISTRICT JUDGE